VOL. XLIV-NO. 37.

# THE OMAHA SUNDAY BEE

THE WEATHER

Snow

SEVEN STRIKERS ON TRIAL FOR MURDER **ACQUITTED BY JURY** 

Men Accused of Killing Chauffeur During Mine War in Colorado Found Not Guilty in a Hurry.

TWELVE ARE OUT JUST HOUR

Six Weeks Spent in Effort to Secure Boxful to Pass on Evidence in Case.

SELF-DEFENSE IS PLEA OFFERED

PUEBLO, Colo., Feb. 27 .- The seven former striking coal miners on trial for the murder of Luke Terry, chauffeur, near La Veta, November 8, 1918, were declared not guilty in the verdict of the jury returned in the district court today. The jury was out one hour.

The men acquitted, all members of the United Mine Workers of America, are Charles Sheppard, Frank Kroupa, Daniel Richards, Edward Richards, Charles Richards, ePter Rich and Marcus Martinolich The charge upon which the men were tried grew out of the killings of Terry and Harry Bryan, Walter Whitten and R. G. Adams, mine guards, and the wounding of W. H. Gambling, all employes of the Oakdale Con! company, while automo biling to the Oakdale mine from La Veta

during the recent coal miners' strike. Testimony introduced by the state sought to establish that the four men killed and Gambling were attacked from ambush by the accused men. The defense sought to prove that the defendants fired PEGG SECURES THE EVIDENCE in self-defense and not until Harry Bryan opened fire from the automobile upon the

Six weeks were occupied in securing a

#### Speyer Says Firm Never Fiscal Agent For the Rock Island

WASHINGTON, Feb. 27 .- James Speyer, head of the New York banking house of Speyer & Co., made a voluntary statement before the Interstate Commerce commission today of his firm's dealings with the Rock Island system during the period of its history under investigation. The firm never had occupied the position of fiscal agent for the railroad, he said, but acting as a principal had bought and \$170,409,000 face value. The total profit Speyer said, was \$1,438,743, or eight-tenths, ther says he does not feel warranted in of 1 per cent. Not all of the firm's transsulted in profits, Mr. Speyer added.

At no time, Mr. Speyer said, had his firm handled any securities of the Rock Island holding companies organized by the Leeds-Reid group. Mr. Speyer volunteered his statement ounces and that a double loaf shall weigh

after Chief Counsel Folk for the commis- thirty-two ounces, no mention being made sion had closed the commission's direct as to price. case with the testimony of Ogden Mills, a director of the Rock Island railroad company and of the New Jersey holding be brought up for reconsideration another

Mr. Mills said he had no personal nearly two years ago and which the knowledge of the various payments in bakers want reconsidered at this time. stock or bonds in addition to salary made This ordinance provides that loaves of to various officers of the Rock Island bread may be offered for sale at any

name of the baker shall appear on each Testimony for the railroad followed, Henry U. Mudge, president of the Rock loaf. izland, discussed at length the physical | The situation today is that the bakers condition of the system, disagreeing with are disregarding the ordinance now on reports of poor condition already filed in the statute books and have taken it upon themselves to operate under the ordi-

Turning to the Trinity and Brazos valley road, the Texas line purchased jointly sion next Monday morning and which is by the Rock Island and Colorado Southern in order to secure an outlet to the gulf Mr. Mudge said he had not given up hope that it would prove a paying investment. Suggestions of possible purchasers of the line were being rejected, he said, until the effect of the Panama canal on north and south rail traffic can be de-

#### GERMAN AIRMEN DROP BOMBS NEAR NIEUPORT

PARIS, Feb. 77.-(Via London)-A squadron of German aeroplanes has bombarded the district behind Nieuport. An official note given out here today says that only two casualties were reported, a woman and an old man having been injured or

The note also states that a French aviator drepped three bombs on the German barracks at Metz, Lorraine,

#### The Weather

Forecast of weather till 7 p. m. Sunday: For Omaha, Council Bluffs and Vicinity Temperature at Omaha Vesterday,



Comparative Local Record.

Highest yesterday... Lowest yesterday... Mean temperature... Precipitation .....

noy for cor period, 1913, 4.55 inches taken as far as Grayson today on the indicates trace of precipitation.

b. A. WELSH, Local Forecaster.

way to salt Lake City to await trial.

OMAHA, SUNDAY MORNING, FEBRUARY 28, 1915—SEVEN SECTIONS—FIFTY-EIGHT PAGES.

GERMAN SOLDIERS DRAW PAY WHEN WOUNDED

the Kaiser's army drawing their pay and signing

German hospital, showing wounded soldiers of disabled by their hurts.



### POLITICS HAS PART RUSS RECAPTURE IN REED'S ACTION

thing wrong in the regulation of bread bakers by the authorities. Attorney General Believed to Be John Grant Pegg, city scaler of weights Playing for Advantage in Rail and measures, declares he has been hand-Commission Row. lcapped in his work by lack of co-opera-

As the price of wheat goes down

the weight of bread in Omaha goes

down, a situation nobody seems to

An investigation discloses some-

Baking company on four counts last fall

in the police court. The cases were taken

to the district court on appeal and Mr.

Pegg says the cases have been called for

trial several times and a postponement

granted each time, the most recent de-

disposed of in the district court. He fur-

Weight of Lonf of Brend.

nearly twenty years ago and provides

that a loaf of bread shall weigh sixteen

Next Monday morning before the city

nance which will be called up for discus-

Bread is Weighed.

citizens at the office of the city sealer of

Brother of Ute Indian

Slain by Polk Gives

his way to Bluff to lead Marshall Ne-

Polk and Percy, according to a special

to be fully advised as to the hiding place

Dutchy says his brother, whose name

Reed did not recall, was killed by Polk

and the widow escaped from the hostile

camp that night, crossing the Can Juan

fiver in the darkness to take the news to

Dutchy. Dutchy, who had taken no ac-

tive part in the situation until then, is

reported as desirous to avenge his broth-

Polk's camp and if possible to accom-

killing of Dutchy's brother by Polk.

although he may encounter difficulties,

ountry occupied by the hostiles.

used by the hostiles.

plish the death of Polk

passe to the hiding place of

not yet a law.

are pending in district court.

'explain on any ground except that

the bakers need the money.

tion on the part of the city prosecutor. He cites as a specific instance the con-STATUTES SAID TO BE PLAIN viction of Jay Burns of the Jay Burns

(From a Staff Correspondent.) LINCOLN, Feb. 27 .- (Special.) ferment being last week. Inspector Pegg Waged any proposition which looks like a to give way. political play to get prestige for

The present bread ordinance was passed future maneuvers. Plenty of people uphold the railway mmission in their contention that they don't have to consult the attorney genoral finless they want to, especially when they have good legal talent on the board. The statute regarding that point reads: council committee of the whole there will

"The commission may consult and advise with the attorney general from time bread ordinance which was placed on file to time with reference to any and a matters upon which they may require advise and it shall be the duty of the attorney general to give such advise as the commission may require of him and weight and stipulates that the weight and to perform such other services within the line of his duty as the commission may require of him."

Statute Not Mandatory. This indicates that if the railway come nission believes it needs the services of weights and measures, that official has started to get busy. A committee visited service to the commission may require of seen his new grandson." noon and Saturday morning and weighed disclosed information that bread sold un- the commission may require of him."

der the trade-mark of "Holsum" and (Continued on Page Three, Column Four.) Refuge of Renegades it cannot get away from the record that Monday, was permitted to depart. this is the first time in the history of the railway commission that an attorney Movie Actor Killed SALT LAKE CITY, Utah, Feb. 27.-Begeneral has butted into the business of cause Chief Polk killed his brother Thursthe commission and attempted to force day night, Dutery, a Use Indian, is on his services upon that body.

Politics Plays Part. It is reported about the state house received by the Descret News from Bluffs that the action of the attorney general today. William Reed of Mexican Hat, is responsible for the fact that he still twenty miles wes, of Bluff, telephoned has his eyes on the job of United States to Bluff that Dutchy was coming and senator, and if he can keep in the spotwarned the guards at Bluff not to shoot light during the coming two years he the Indian. Marshal Nebaker has sent will attempt to shuffle into the shoes men to meet Dutchy and expects to now worn by Senator Hifehcock.

(Continued on Page Two, Column Two.)

#### President Will Not Call Extra Session of the Upper House

WASHINGTON, Feb. 27. - President Wilson has practically decided not to call The National Capital Mongolian Will er's death by leading the white men to a special session of the senate to con-It is believed here that the reported sider the Colombian and Nicaraguan killing of the Indian, Scotty, by old treatics. At the White House today it Possey, has become confused with the was said that while the question still was under consideration there was little pros-Dutchy is expected to reach Bluff today, pect of a special session being called The opposition of some republican senas his most direct route is through the ators makes it improbable that any ac-Priendly Indians, who were found tion on the treaties can be taken during of the confirmed new limitation of the control of the life reservation in Coforado today, as if the pecis, however, that at least some of his pecis, however, that at least some of his neminees for the federal trade commission will be confirmed before March to deficiency for cor period, 1913, 4.36 inches been taken prisoners at Bluff will be started to the pecis, however, that at least some of his neminees for the federal trade commission.

The Indians and the Mexican who have been taken prisoners at Bluff will be started to the pecis, however, that at least some of his neminees for the federal trade commission. destitute north of Bluff, will be started the present session. The president exrecess appointments.

# CITIES IN GALICIA

islau and Kolomea Again Occupied by Czar's Troops-

AUSTRIAN ADVANCE IS CHECKED

LONDON, Feb. 27.-The Austrian advance in eastern Galicia has been checked

Although it has been reported unof sgain using their perfect railway sysficially that the Austrians had captured tem to throw over troops from Kovo to-Stanislau, as indicated by the foregoing, ward Berjimow. no such admission had been made by the Russian war office. Stanislau is situated do the same thing, namely, rush troops fifty miles southeast of Lemberg, is a southward to the Bzura and Rawks. pivotal point in the campaign of the Austrians to recapture the province of Galicia. Recent reports indicated that they had made considerable progress.

#### Howell Excused From Day's Session To Visit Grandson

(From a Staff Correspondent.) LINCOLN, Feb. 27 .- (Special.)-A new the attorney general they "may" consult grandson for Senator Howell of Douglas him, and nothing the commissioners hold county came very near stopping the indicates they "shall" consult him as he wheels of legislation this morning, when would indicate in his letter to the com- an effort was made to adjourn the senmission. On the other hand commis- ate until tomorrow, because there were sioners interpret the above section that so many absentees. Last night the senthe attorney general is under the juris- ate attempted to adjourn until Monday diction of the commission if anything, also and the senator besought them to do for while they "may" consult him, the 80, saying, "My God gentlemen, havn't some of the grocery stores Friday after- section reads that he "shall" give such you any feeling for a man who has never

some loaves of bread. This investigation him and "perform such other duties as His appeal was of no avail at that time, nor was it this morning, but at The attempt of the legal department of noon Senator Howell took courage again the state to get the legislature to bolster when it appeared that the senate lacked up his cause by having Lanigan introduce one of having a quorum present, and was resolution in the house calling upon about to quit, when in walked two of the the railway commission to put themselves delinquents and spoiled the chance. Howunder the guiding hand of the attorney ever the Beutenant governor took pity general, may be successful because the on the gentleman from Douglas and to mocratic legislature has the power, but his plaintive appeal to be excused until

## in a Reel Battle

LOS ANGELES, Cal., Feb. 27,-An investigation was under way today for the death of Clarence Chandler, a motion picture actor, who was shot and killed yesterday in the staging of a battle scene in the San Bernardino valley near here. Chandler was a member of an attacking party instructed to capture soldiers utilize the Indian's services, as he is said Friends of the commission deplore the barricaded in a cabin. Before word was panions, shot in the forehead.

> ischarged cartridge. shooting down the door of the cabin.

Saturday, February 27, 1015. The Senate.

Met at 10 a.m.
Seasan's bill finally passed and sent
opresident.
The military academy appropriation
ill passed and debate begun on the inian bill. dian bill.

The committee investigating charges of lobbying in connection with the administration ship bill resumed hearings.

Met at II a. m. Conference reports on b with the senate considered

Russian General Staff Believes Another Plan to Attack Warsaw Has Failed.

TEUTONS TRY TO CUT RAILROAD

PETROGRAD, Feb. 27 .- (Via London.)-The German infantry Dispatch from Roubania Says Stan- forces are being thrust across the river Niemen, in northern Poland, and the Russian general staff believes that another German plan of attack upon Warsaw has been countered successfully.

Relationship is divided between stubborn effort of the Germans to cut and the Russians, driving back their op- railroad communication to the north of Nothing in months has caused so ponents, have recaptured Stanislau and Warsaw and the coincident resumption of much comment as the hot air battle Kolomea, says the Evening News in a prenounced activity near Borilmow, on between Attorney General telegram from Hertza, Roumania. Heavy the Central Poland front west of Warfighting preceded the recapture of these saw. To quote the opinion of a staff ofresold between 1904 and 1912 securities of these saw. To quote the opinion of a staff of the Rock Island company itself of some says he is ready to try these appeals any Reed and the members of the State two towns. The Russians occupied Stantime and is anxious to have these cases Railway commission. While demo- islau yesterday. Advancing in force from by the Germans at widely separated cen crats as a general thing are uphold- that point they attacked the Austrian po- ters-"evidently the Germans intend to Speyer said, was \$1,438,743, or eight-tenths of push forward again in the current of I per cent. Not all of the firm's transof I per cent. Not all of the firm's transactions in Rock Island securities had reactions in Rock Island securities had reor needing in district court.

The Austrians of push forward again in the center in the district court.

The Austrians of push forward again in the current in the district court.

The Austrians of push forward again in the current in the district court.

The Austrians of push forward again in the current in the district court.

The Austrians of push forward again in the current i Kovno district activity is diminishing hence it is evident that the Germans are

> "In order that we shall not be able to rivers, the Germans are making desperate efforts, first with cavalry and then with infantry, to cut the railroad from Warsaw to Vilna. Thanks to the watchfulness of our commanders and to the in-

of the enemy have been futile." This officer added that even though the German plans had succeeded this have been found on the shores. achievement would not have influenced greatly the Russian position at Borkimow so long as the other railroad lines from Warsaw to the front remained in com mission. He said further that the success which the Russians are reported to have gained at Preasnyss had uncovered the German right flank operating at Ossowetz, where the artillery engagement still remained undecided.

#### Carranza Cancels That Part of Decree Taxing Foreigners

WASHINGTON, Feb. 17.-Consul Sillinan today notified the State department that General Carranza had annuelled so much of General Obregon's decrees levying a tax upon commercial houses in the Mexican capital as applied to Americans and other foreigners. The State department had protested. The State department made represen

tation to Carranza authorities at Fronteria, Mex., for the release of the American schooner Martha, held there on the ground that its master was seeking to evade export duties on a consignment of cattle to Galveston. . The duties and fines are said to amount to more than 11,000 Mexican dollars.

#### Sultan of Turkey is Ready to Leave Constantinople

PARIS, Feb. 71.-The Matin this morngiven for them to begin airing with re- ing prints a dispatch from its correvolvers, a single shot was heard and spondent at Athens, who repeats tha Chandler fell in the midst of his com- story published several times recently that the sultan of Turkey is preparing All threw down their weapons. No one to leave Constantinopie and to this end laid claim to the one revolver with the imperial trains are kept with steam up The pistols had been loaded with builtles of the Prinkinkip Islands, in the Sea of order to product a realistic scene in Marmora, not far from Constantinopl have been instructed to hold themselve

# Reach Port Sunday

ast of Nova Scotis, is heading for Hall-

### NO WORD COMES IN REPLY TO U.S. SEA SUGGESTIONS

Neither Germany Nor England Has Answered Note from America Concerning Shipping Question.

WASHINGTON IS PESSIMISTIC

Officials Have Not Much Hope in Success of Plan to Bring About Understanding.

MAY BE MINE MODIFICATION

WASHINGTON, Feb. 27, - No. word came from either Great Britain or Germany today concerning their attitude on the American government's proposals for the removal of mines, the abandonment of submarine warfare on merchant ships and the shipment of foodstuffs to the civilian population of belligerents.

Both sides were understood still to be considering the Washington administration's suggestions. Replies were not expected for two or three days. From the press reports of England's plans for reprisais, which were decided on before the American proposals arrived, officials did not draw much encouragement for the success of their plan. They are hopeful, however, that if an acceptance of all the proposals is not possible now, there at least will be an acquiescence by all the belligerents in the suggestion that mines be removed from the high seas, except those directly guarding coast defenses and harbors.

#### Evelyn Not Out of Its Course When Struck by a Mine

WASHINGTON, Feb. 27.-Minister Vandyke at The Hague cabled today an un official report that eight of the crew of the American steamer Evelyn sunk by a mine in the North sea had been lost Yesterday he sent an official report that the missing boat load was safe.

The first report of Commander Cherardi, naval attache at Berlin, on the sinking of the American cetton steamer Evelyn, by a mine in the North Sea, re ceived here today, indicates that the gested, and was, in fact, in waters where it should have been safe.

By comparing the Evelyn's position in latitude and logitude and by studying mans and a comparison with the Ger man admiralty's directions, haval officers are of the opinion that the Evelyn was about twenty miles off the north coast of Holland and twenty-five miles north west of Borkum island. The German war zone decree placed a strip of thirty-miles along the Dutch coast in the safety zone. In the opinion of navni officers here the Evelyn probably struck a mine which had broken lose from its moorings some where along the German coast immedidomitable energy of our troops, the efforts ately to the north and which was floating towards the coast of Holland, where, according to reports, numerous mines

#### Five Liners Leave New York for Ports in the War Zone ous Turkish encampments also were

NEW YORK, Feb. 27 .- Five passenger liners bound for ports in the war zone set by Germany around the British Isles werd included in today's sailings from this port. Hundreds of passengers were straits, which are now entirely dis-

aboard. The Lusttania, now the largest as well as the fascest passenger ship traveling the Atlantic, had many cabin passengers booked for Liverpool. The American liner St. Paul for Liverpool for the Holland-American steamer Rotterdam for Rotterdam, the Touraine for Havre and the Kristianiafjord for Bergen, were the only anilings.

American flags and the words "Ameripainted on both sides of the St. Paul's hull. Two more American flags were painted on its bows. The Rotterdam was marked fog identification by lettering on trance. its hull, giving its name and destination

#### Two Louisville Distilleries Go Into Bankruptcy

LOUISVILLE, Ky., Feb. 27 .- The Mattingly and Moore Distilling company and wheat on the shores of the Black sea the F. G. Walker Distilling company, two of the oidest concerns of the kind in (Continued on Page Two, Column Five.) the state today filed voluntary petitions in bankruptcy in United States district

The Mattingly and Moore company lists its liabilities at \$259,989 and assets at \$304,384. The F. G. Walker company achedules its liabilities at \$110,252; assets, \$91,770. The plants of the companies are at Bardstown, near Louisville

#### Million Frenchmen Killed and Wounded, 200,000 Are Missing

NEW YORK, Feb. 27.—The Allan line Sayville)—The Hamburger Nachrichten public building, park, road or alley. steamship Mongolian, which sent out a has published what purports to be an

there tomorrow, local agents of the line it was not intended for publication as yet. the Mongolian, which has aboard 200 pas-described as slightly hurt. In addition porations violating the law are in future sengers bound for Giasgow. 200,000 men have been reported missing.

## **ALLIES FORCING** THEIR WAY INTO DARDANELLES

Mine Sweepers Begin Work of Clearing Mouth of Straits Under Protection of British and French Warships.

EUROPE NEEDS RUSSIAN WHEAT

Real Necessity of Releasing Vast Stores Along Black Sea Becoming More Apparent.

CZAR IS CLAIMING VICTORY

#### The Day's War News

ANOTHER BRITISH merchantman is reported to have been torpedeed by a submarine in the English channel. A French warship has gone to the assistance of the vensel, the identity of which has not been established.

CLASHES BETWEEN the factious favoring and opposing war continue to create disturbances in Italy and the plan of the government to suppress public meetings for the discussions led to turbulent scenes in Parliament yesterday. ANGLO-FRENCH PLEET is reported to have penetrated the Dardanelles after sileneing the outer forts, and the removal of mines is un-

der way preparatory to an attempt at a further advance toward Constantinople. An Athena dispatch repeats the statement that the saltan has made plans for a hasty departure from Constantinople. RUSSIA'S STATEMENT that the Germans have been defeated in the region of Pranayusz and the German announcement of the capture of the city leave in doubt the situation on that part of the east-

ern front, where the battle at present is being waged most flereely. EFFORTS of the German and Austrian armies to crumple both ends of the long Russian front are reported today to have been checked. GERMAN AEROPLANES made a said on positions of the allies near Nieuport and a French aeroplane

dropped bombs on Mets.

LONDON, Feb. 27.—The admiralty announced tonight that during the bombardment of the Dardanelles fortifications the battleship Agamemnon had been struck and that three men were kiled. The announcement says further that the Dardanelles operations are still pro-

The admiralty announcement says that landing parties went ashore from the allied fleet. With the assistance thereof the four forts at the entrance of the Dardanelles were completely demolished and the fourth was badly damaged.

ATHENS, Feb. 27.—(Via London) -An allied fleet aggregating forty warships today penetrated the Dardanelles straits as far as Hortari and within range of Fort Intepe, on the Asiatic side, according to reliable information reaching here today.

bombarded. The ships are now within range of Fort Dardanos. A French squadron is cruising under the forts at the entrance to the mantled.

Fort Intepe was destroyed. Vari-

BULLETIN. PARIS, Feb. 27 .- The Athens correspondent of the Matin has forwarded the following:

"After the complete destruction of the forts at the entrance to the Dardanelles the allied fleet penetrated can Line" in letters four fept high were the straits and shelled the interior forts. It proceeded down the Dardanelles fourteen miles from the en-

> LONDON, Feb. 27 .-- A fleet of British and French warships continues to hammer away today at the door of the Dardanelles, the straits which close Europe to Russia's rich grainary, and the very real necessity of "leasing the huge supply of causes the general belief that the

#### West Virginia Lid Nailed Down Tighter

WHEELING, W. Va., Feb. 27,-Amendments to the Ast prohibition law which becomes operative today, are expected to further decrease the consumption of intoxicating liquors in the state. Under the law, as it now stands, no more than half a gallon of liquor can be brought into the state by one person, unless the uantity and quality are marked in large black letters on the package, and alcodolic beverages shall not be kept in any bowling alley, pool room, bont house, It is also provided that county, muni-

wireless call yesterday for help because has published what purports to be an It is also provided that county muni-it was leaking badly, 400 miles off the refuse to enforce the law may be refax under its own power and should reach by the French ministry of war and that charges without hery tr'al, and when it is moved by circuit judges on written shown that the state cannot be given a announced here today. The United States It gives the number of dead as 250,000 and fals trial in liquor cases may be called oast guard cutter Seneca is convoying the wounded 100,000, of whom 400,0040 are from another county. Officers of cor-